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**RESOLUTION NO. 03-415**

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF **STORM WATER DRAIN NO. 211 (NORTH OF 29TH STREET NORTH, BETWEEN MAIZE AND TYLER) 468-83671** IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF CONSTRUCTING **STORM WATER DRAIN NO. 211 (NORTH OF 29TH STREET NORTH, BETWEEN MAIZE AND TYLER) 468-83671** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct **Storm Water Drain No. 211 (north of 29th Street North, between Maize and Tyler) 468-83671** in the City of Wichita, Kansas.

SECTION 2. That the cost of said improvements provided for hereof is estimated to be **One Hundred Seventy-Eight Thousand Dollars (\$178,000)**, exclusive of the cost of interest on borrowed money, with **100 percent** payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **June 1, 2003**.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

**FOX RIDGE ADDITION**

Lots 125 through 146, Block 1;  
Lots 5 through 8, Block 3;  
Lots 42 through 147, Block 4;  
Lots 1 through 33, Block 5;

SECTION 4. That the method of apportioning all costs of said improvements attributable to the owners of land liable for assessment shall be on a **fractional basis**.

Lots 125 through 146, Block 1; Lots 5 through 8, Block 3; and Lots 72 through 76, Block 4; all within Fox Ridge Addition shall each pay 111/10,000 of the total cost payable by the improvement district. Lots 42 through 71, Block 4; within Fox Ridge Addition shall each pay 110/10,000 of the total cost payable by the improvement district. Lots 83 through 96, Block 4; Lots 107 through 133, Block 4; and Lots 12 through 17, Block 5; within Fox Ridge Addition shall each pay

56/10,000 of the total cost payable by the improvement district. Lots 77 through 82, Block 4; Lots 97 through 106, Block 4; Lots 134 through 147, Block 4; Lots 1 through 11, Block 5; and Lots 18 through 33, Block 5; within Fox Ridge Addition shall each pay 11/10,000 of the total cost payable by the improvement district.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 1980 Supp. 12-6a01 et seq.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, August 5, 2003.

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CARLOS MAYANS, MAYOR

ATTEST:

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PAT GRAVES, CITY CLERK

(SEAL)